R E P O R T R E S U M E S

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LEAVE OF ABSENCE PRACTICES IN SOUTH DAKOTA SCHOOLS--SCHOOL YEAR 1964-65.

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IN ADDITION TO SCHOOL POLICIES RELATING TO TEACHER LEAVES OF ABSENCE IN SOUTH DAKOTA, STATE BY STATE SUMMARIES OF EDUCATIONAL LEGISLATION REGARDING SICK LEAVE, MATERNITY LEAVE, AND SABBATICAL LEAVE ARE PRESENTED IN THIS DOCUMENT. OF THE 228 RESPONDING SCHOOLS IN SOUTH DAKOTA, 215 REPORTED EXISTING SICK LEAVE POLICIES. THE MAJORITY OF RESPONDING SCHOOLS ALLOW FIVE DAYS FOR YEARLY AND CUMMULATIVE SICK LEAVE, WITH PERSONAL ILLNESS, AND ILLNESS OR DEATH IN THE IMMEDIATE FAMILY BEING THE MOST COMMON REASONS FOR GRANTING SICK LEAVE. IT WAS ALSO REPORTED THAT NEARLY HALF OF THE SCHOOLS DO NOT PAY TEACHERS IF SICK LEAVE HAS BEEN EXHAUSTED. ATTENDANCE AT PROFESSIONAL MEETINGS WITH PAY IS ALMOST STANDARD POLICY. MANY SCHOOLS INDICATED NO POLICY FOR SCHOOL VISITATIONS, JURY DUTY, RELIGIOUS HOLIDAYS, MATERNITY LEAVE, SABBATICAL LEAVE, AND SERVING ON LEGISLATIVE BODIES. THE SECTION ON SOUTH DAKOTA CONCLUDES WITH DATA WHICH INDICATES--(1) VERY FEW TEACHERS ABUSE SICK LEAVE POLICY, AND (2) THE MAJORITY OF SCHOOL SYSTEMS FAVOR A STATE-WIDE SICK LEAVE POLICY. THE FINAL PART OF THE DOCUMENT IS DEVOTED TO A STATE BY STATE SUMMARY OF EDUCATIONAL LEGISLATION REGARDING SICK LEAVE, MATERNITY LEAVE, AND SABBATICAL LEAVE FOR TEACHERS. (JS)

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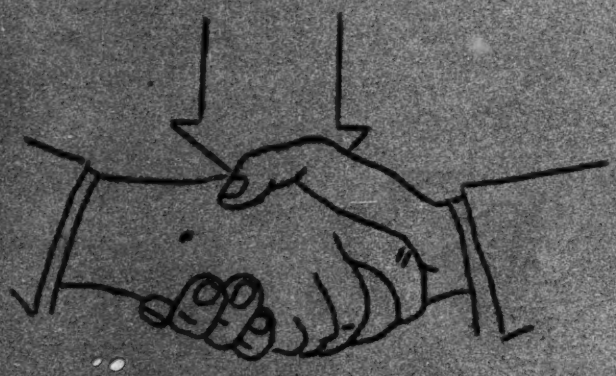
LEAVE OF ABSENCE PRACTICES IN SOUTH DAKOTA SCHOOLS



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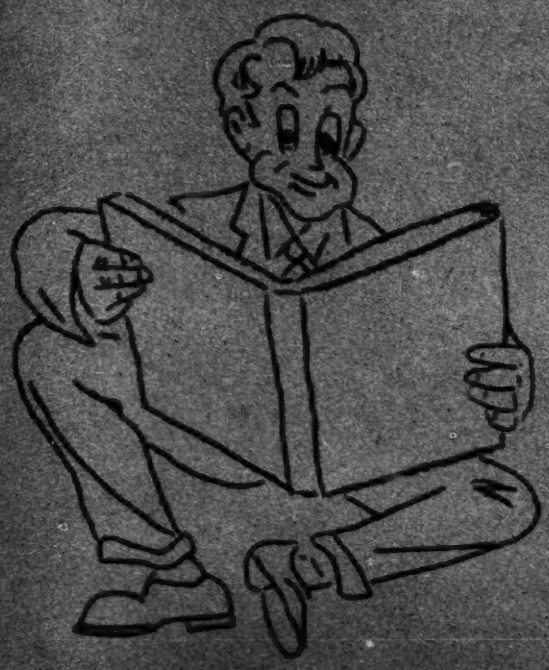

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LEAVE OF ABSENCE PRACTICES

IN

SOUTH DAKOTA SCHOOLS

SCHOOL YEAR 1964 - 1965

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SOUTH DAKOTA EDUCATION ASSOCIATION

RESEARCH DEPARTMENT

E. C. MIKKELSEN, DIRECTOR

A PARADOX

THE MORE MAN KNOWS, THE MORE THERE IS TO KNOW. THE MORE MAN KNOWS - THE MORE HE RECOGNIZES THE OBSOLESCENCE OF KNOWLEDGE AND THE TRAGEDY OF TRYING TO BE A PRODUCTIVE CITIZEN IN TODAY'S WORLD, WITH YESTERDAY'S KNOWLEDGE.

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TEACHER LEAVES OF ABSENCE

For some time leaves of absence for teachers have been a major concern of school administrators, boards of education, and local teacher associations. To provide these groups with information regarding current practices with respect to granting leaves of absence, the Research Department has conducted this survey of employment conditions in South Dakota schools.

We do believe, in keeping with national trends, that leave policies in the South Dakota schools have improved much in the past years. It is our hope to follow this study with another of similar nature in the future to determine more accurately what progress is being made. As the tables will indicate there is a great lack of uniformity among the schools of the state in this important area. Table five, for instance, indicates a range of number of days of sick leave which can accumulate from no days of accumulation to unlimited number of days of accumulation.

Welfare Committees, Administrators, and Boards of Education should find the results of this study particularly interesting in their review and establishment of leave policies. Such leave policies help strengthen teacher morale and efficiency.

Two hundred and twenty-eight schools responded to our questionnaire for this study. This represents a 96% return from all public independent schools contacted, which we consider an excellent sampling.

TABLE 1

NUMBER OF SCHOOLS PARTICIPATING BY SIZE OF SCHOOLS

Total School Enrollment	Number of Schools
200 or less	62
201 - 300	56
301 - 400	44
401 - 800	37
801 or more	29
Total	228

A definite sick leave policy has a number of advantages. Only seven schools reported that they do not have such a policy, and six schools made no reply. Two hundred and fifteen, or more than 94% of all schools reporting, designated a definite policy.

TABLE 2

DEFINITE SICK LEAVE POLICIES

Do you have a definite sick leave policy?	Total School Enrollment: 200 or less	201 to 300	301 to 400	401 to 800	801 or More	All
Yes	55	53	41	37	29	215
No	4	1	2	0	0	7
No Reply	3	2	1	0	0	6
Total	62	56	44	37	29	228

Table 3 shows the number of days granted each year for sick leave. It may be of interest to note that 64% of all schools grant five days, and 20% grant ten days.

TABLE 3

NUMBER OF DAYS GRANTED EACH YEAR FOR SICK LEAVE

Number of Days	Total School Enrollment: 200 or less	201 to 300	301 to 400	401 to 800	801 or more	Total
2	1	0	0	0	0	1
3	8	1	0	0	0	9
5	40	45	33	19	8	145
6	1	1	1	2	2	7
7	3	2	1	1	1	8
9	0	2	0	1	3	6
10	5	5	7	14	14	45
14	0	0	1	0	0	1
15	0	0	0	0	1	1
No Policy	4	0	1	0	0	5
Total	62	56	44	37	29	228

There is a wide variance in policies relating to accumulated sick leave days. This range is from no days to 45 days. 13% of the schools permit no accumulated days and 49% permit 5 days of accumulated leave.

TABLE 4

MAXIMUM NUMBER OF DAYS OF ACCUMULATED SICK LEAVE EACH YEAR

Maximum Number of Days	Total School Enrollment: 200 or Less	201 to 300	301 to 400	401 to 800	801 or more	Total
0	16	10	3	1	0	30
2	1	0	0	0	0	1
3	8	1	0	0	0	9
5	25	31	27	20	9	112
6	0	1	1	1	2	5
7	0	2	1	1	3	7
9	0	0	0	1	2	3
10	2	5	6	7	9	29
14	0	0	1	0	0	1
15	1	2	1	0	1	5
20	0	1	0	1	0	2
25	0	1	0	0	0	1
30	1	0	0	2	1	4
45	0	0	0	0	1	1
No Policy	8	2	4	3	1	18
Total	62	56	44	37	29	228

Total maximum number of sick leave days varies from none to no limit. The three most popular maximums are 15, 20, and 30 days. Schools using one of these three figures for accumulated sick leave represent more than half of all schools reporting.

TABLE 5

MAXIMUM NUMBER OF ACCUMULATED SICK LEAVE DAYS

Maximum Number of Days	Total School Enrollment: 200 or less	201 to 300	301 to 400	401 to 800	801 or more	Total
0	12	6	3	1	0	22
3	1	0	0	0	0	1
5	8	4	4	0	0	16
9	1	0	0	0	0	1
10	11	8	2	2	0	23
12	1	0	0	0	0	1
14	0	0	1	0	0	1
15	10	11	11	7	1	40
18	0	1	0	0	0	1
20	6	12	8	8	4	38
21	0	0	1	1	0	2
25	0	2	1	1	0	4
30	3	8	10	13	5	39
36	0	0	0	1	0	1
40	0	0	1	0	1	2
45	0	0	0	0	1	1
50	0	0	0	0	2	2
56	0	0	0	0	1	1
60	0	0	0	2	11	13
90	0	0	0	0	1	1
No Limit	0	0	0	0	1	1
No Policy	9	4	2	1	1	17
Total	62	56	44	37	29	228

Personal illness of teacher, personal illness in immediate family, or death in the immediate family are the most common reasons for the granting of sick leave. Some schools report a lenient policy of interpretation relative to other reasons.

TABLE 6

REASONS FOR WHICH SICK LEAVE CAN BE GRANTED

Reasons	Total School Enrollment					
	200 or less	201 to 300	301 to 400	401 to 800	801 or more	All
a. Personal Illness of teacher	58	56	44	37	29	224
b. Personal Illness in immediate family	39	46	36	33	28	182
c. Death in the immediate family	50	51	35	34	26	196
d. Death or Personal Illness of relative other than immediate family	17	19	15	15	11	77
e. Other	4	6	5	7	10	32

Table 7 summarizes provisions relative to absence for funerals and travel time involved. Table 6 indicated that absence for death in the immediate family is quite generally considered sick leave. About 69% of the schools reporting indicated that time allowed for funerals is included in the total time allowed for sick leave each year.

TABLE 7

ABSENCE PROVISIONS FOR FUNERAL AND TRAVEL TIME

	Total School Enrollment					
	200 or less	201 to 300	301 to 400	401 to 800	801 or more	All
Is Time for Funerals Included in Sick Leave?						
Yes	33	42	34	28	20	157
No	20	14	10	7	8	59
If not, what provision is made for absence						
1 Day	1	0	0	0	0	1
2 Days	0	0	3	1	2	6
3 Days	0	1	0	4	0	5
5 Days	1	5	6	2	3	17
10 Days	0	0	1	0	0	1
No Definite Policy	37	24	18	12	13	104
Is Leave Granted With Pay?						
Yes	38	35	31	22	22	148
No	5	1	1	1	1	9

In 97% of the schools responding to the question of when sick leave policy goes into effect, the reply was, immediately. Of those schools which require new teachers to be on duty for some time prior to the effective date of this policy the period most frequently mentioned was 30 days.

TABLE 8

EFFECTIVE DATE OF SICK LEAVE POLICY

Does Sick Leave Policy go into effect immediately for new teachers	Total School Enrollment					
	201 or less	201 to 300	301 to 400	401 to 800	801 or more	All
Yes	57	54	43	37	27	218
No	2	2	1	0	2	7

(Most frequent time for qualification: 30 Days)

Nearly half, or 43 percent of the schools do not pay a teacher for absence, because of illness if the sick leave time has been exhausted. Thirty-nine percent pay the teacher the difference between his salary and the salary paid to the substitute.

TABLE 9

PAY PROVISIONS FOR ABSENCE BEYOND LEAVE TIME

After the Days of sick leave have been exhausted, a teacher who is absent because of illness receives:	Total School Enrollment					
	200 or or less	201 to 300	301 to 400	401 to 800	801 or more	All
a. No pay for days absent	28	22	17	13	15	105
b. Difference between teachers salary and salary paid to substitute	16	22	20	19	8	85
c. No policy	12	6	4	4	1	27
d. Other On Merits: 4 Subst. Pay: 8 1/4 Salary: 1 60% Salary: 1 15 Half Days: 1	3	4	2	1	5	15

Table ten summarizes a number of reasons for leaves of absence.

It may be noted that leave for attendance at professional meetings with pay is an almost universal policy.

Many schools indicate that they do not have a policy for school visitation, for absence for jury duty, and absence for religious holidays.

Only 16% of the schools responding to the question of maternity leave stated that they had a definite policy. This form of leave is on the increase nation wide and a later section of this report gives additional information on the subject. It may be significant to note here that according to a recent NEA study of the status of the American teacher, about 75% of the women teachers in public schools are married (including those who are widowed, separated, or divorced). Sixty-nine percent of these married teachers have at least one child. This data points up the importance of giving consideration to a maternity leave policy.

Another noted trend is that of teachers serving on legislative bodies. More than 85% of the schools replying to the question on teachers serving in the legislature do not have a policy. May we suggest that probably more and more schools will be faced with a decision in this matter in the future. Consideration might well be given to this matter before the question becomes pertinent. Admittedly, one of the problems, which was also voiced by a number of schools, is the difficulty of securing suitable substitutes when teachers find it necessary to be absent to serve in the legislature, or to serve on city or county government.

A very small minority of schools grant sabbatical leave. Here again we call attention to additional information found in a different section of this bulletin which indicates policies of such states as have a state statutory provision. This is another of the benefits for teachers which is receiving more and more attention nation wide.

TABLE 10

LEAVES OF ABSENCE OTHER THAN ILLNESS OR DEATH

	Total School Enrollment					
a. Allow attendance at professional meetings with pay:	200 or less	201 to 300	301 to 400	401 to 800	801 or more	All
Yes	54	53	40	37	28	212
No	4	1	2	0	1	8
No Policy	3	0	2	0	0	5
b. School visitation; with pay:						
Yes	12	13	21	16	20	82
No	17	18	8	8	4	55
No Policy	9	8	8	7	2	34
c. Jury duty, court order with pay:						
Yes	30	30	22	19	19	120
No	7	7	3	8	4	29
No Policy	9	9	12	10	4	44
d. Maternity, with pay:						
Yes	8	7	6	3	4	28
No	27	33	13	22	20	115
No Policy	11	2	12	9	1	35
e. Religious Holidays, with pay:						
Yes	8	9	6	3	1	27
No	21	20	16	17	21	95
No Policy	15	7	12	12	4	50
f. What provision do you have for teachers to serve in state legislature? With Pay:						
Yes	1	1	0	0	1	3
No	8	6	3	1	7	25
No Policy	44	43	39	35	21	182

continued

	200 or less	201 to 300	301 to 400	401 to 800	801 or more	All
g. Do you feel teachers should be permitted to serve in state legislature?						
Yes	47	47	40	32	26	192
No	10	3	4	5	2	24
City Government						
Yes	43	39	36	32	20	170
No	8	10	5	3	4	30
County Government						
Yes	39	37	32	26	15	149
No	10	9	8	7	6	40
h. Do you have any provision for Sabbatical Leave?						
Yes	2	2	1	2	8	14
No	56	51	43	35	21	206
Others:						

Business Leave: 2
Unusual Emergency: 2
For Study and Travel: 1

Schools may fear the establishment of a sick leave policy because of a feeling that teachers tend to abuse or take advantage of such policy. Table 11 indicates that about 98% of the schools reported that teachers do respect the policy.

TABLE 11

DO TEACHERS ABUSE OR TAKE ADVANTAGE OF SICK LEAVE

	Total School Enrollment					
Do you feel that the teachers in your system abuse or take advantage of the sick leave policy?	200 or less	201 to 300	301 to 400	401 to 800	801 or more	All
Yes	5	1	2	6	1	15
No	55	55	42	31	28	211

There are many schools which feel that sick leave policies should be left to the individual schools. Although several schools reported a favorable answer relative to a statewide minimum sick leave policy, not all of these schools favor having such policy enacted into state law. There would seem to be a number of advantages from a statewide minimum, especially if the law is clear that local authority exists for granting leave of a length greater than the statutory minimum. In other words, there would seem to be little advantage in a statewide maximum.

TABLE 12

STATE-WIDE SICK LEAVE LAW OR POLICY

Do you feel that there should be a statewide minimum sick leave policy?	Total School Enrollment					
	200 or Less	201 to 300	301 to 400	401 to 800	801 or more	All
Yes	42	41	32	15	5	135
No	18	12	12	19	23	84

TABLE 13

STATE-WIDE SICK LEAVE LAW

Do you think that there should be a minimum statewide sick leave policy enacted into law?	Total School Enrollment					
	200 or less	201 to 300	301 to 400	401 to 800	800 or more	All
Yes	37	37	27	12	6	119
No	21	14	16	21	22	94

STATE BY STATE SUMMARIES

This compilation is a state-by-state summary of statutory provisions of the following three types of absence relating to teachers:

Part I: Sick Leave
Part II: Maternity Leave
Part III: Sabbatical Leave

Only those state laws which have specific reference to leaves of absence of this nature are included. This information includes all changes through the 1963 legislation year.

In recent years there has been a growing interest in personnel policies which encourage and stimulate professional performance of the employees of a school system. The personnel policies of a school system are important to the kind and quality of education a community is providing for its citizens. When the members of a staff work together more is accomplished. Good personnel policies usually result in higher staff morale, and as a result better service to the students in the schools.

STATE BY STATE SUMMARIES

Part 1: State Sick-Leave Provisions

ALABAMA Sick pay up to 45 days in any one school year is in the discretion of the school board; for unavoidable cause other than sickness, up to 1 week a year with pay may be provided. (Attorney general opinion includes illness or death in immediate family in category of unavoidable causes.)

School boards may grant a leave of absence for a period of one year for good cause to a teacher on continuing service status, without impairment of such status; for valid reason, leave may be extended for an additional year.

(Code of Alabama (Recompiled 1958). Secs. 52-136, 52-197, 52-361 (30)

ALASKA Twelve days sick leave a year accrued at the rate of 1 1/3 days a month, with pay, is provided, cumulative without limit. Cumulative sick leave is transferable from school to school if the teacher's service is continuous. Accumulated leave cannot be used at the beginning of the school year unless the teacher has begun his teaching contract, except in unusual circumstances.

Three days sick leave may be used for death in the immediate family, or up to five days if the circumstances require travel outside Alaska.

Sick leave in excess of the number of days to which the teacher is entitled shall be paid for by the difference between the salary of the teacher and the cost of a substitute, provided the teacher returns within 20 teaching days after the last day of accumulated leave has been used. Deductions from pay on account of illness in excess of the number of days already earned shall be refunded at the end of the school year in accordance with the leave time that has accrued by the end of the year. A physician's certificate may be demanded for absence of more than three days.

(State Board of Education Regulations. Sec. 25)

ARIZONA At request of a teacher suffering from tuberculosis, a leave of absence may be granted; a leave of absence for this reason must be granted to a continuing teacher if requested.

School boards may authorize leaves of absence up to a maximum of one year when they deem the leaves to be reasonable and for good cause, and not detrimental to the education in the district. All tenure, retirement, accrued leave with pay, salary increments and other benefits are preserved if leave is granted.

(Arizona Revised Statutes Annotated. Secs. 15-206 and 15-444.02)

CALIFORNIA — **Sick Leave:** Ten days' sick leave a year with pay is mandatory, but more may be granted in the discretion of the board. The 10 days need not be accrued before they are taken. Unused leave may be accumulated indefinitely. After the first 10 days' leave, loss of pay shall not exceed substitute's pay for absence up to a period of 5 months, but during this time, boards may provide 50 per cent or more of regular salary. For absence longer than 5 months, pay is in the discretion of the school board, subject to rules and regulations of the state board of education.

Bereavement: Certified employees are entitled to 3 days' leave of absence with pay for death of member of immediate family, including mother-in-law and father-in-law; school boards may allow additional leave for this reason.

Industrial accident and illness leave: Governing school boards must provide not less than 60 days of leave in a fiscal year for each single industrial accident or illness suffered by a certified employee. This leave is not cumulative. When the industrial accident or illness overlaps into the next fiscal year, the employee is entitled to only the amount of unused leave due him for the same illness or injury. The employee on such leave shall be entitled to be paid that portion of his salary which, when added to the amount received under workmen's compensation, results in a payment of not more than the employee's full salary. The leave is reduced by one day for each day of authorized absence regardless of a temporary disability indemnity award.

Upon termination of the industrial accident or illness leave, the employee is entitled to the regular sick leave benefits. If the employee continues to receive temporary disability benefits, he may elect to take as much of his accumulated sick leave, which when added to the disability benefit, will result in the payment of not more than his full salary.

During any paid leave of absence, the employee must endorse to the school district his temporary disability indemnity checks, and the district in turn issues him his salary warrants for the payment of salary from which there is deducted the normal retirement and other authorized contributions. The board may require a specified period of continuous service in the school district before the industrial accident and illness benefits are available, but this period shall not exceed three years.

(California Education Code. Secs. 13467 to 13470)

CONNECTICUT — Fifteen days' sick leave a year with full pay is mandatory, but more may be granted in the discretion of the board. Unused leave shall be accumulated to at least 75 days.

(General Statutes of Connecticut, Revision of 1958. Secs. 10-156.)

DELAWARE — Ten days' sick leave a year with full pay is mandatory, cumulative to 120 days.

Up to five days' leave of absence with full pay is mandatory in the event of death in the immediate family; for death of a near relative, one day of paid leave of absence is provided on the day of the funeral. In the case of critical illness in the immediate family, absence without loss of pay for 3 calendar days is allowed.

(Delaware Code Annotated. Sec. 14-1318)

DISTRICT OF COLUMBIA Sick leave with pay is mandatory at the rate of one day a month from September through June, inclusive, under rules and regulations of the board of education. Unused leave may be accumulated to 75 days for probationary and permanent teachers and to 20 days for temporary teachers. An additional one day a year of service prior to July 1, 1949, may be granted, but the total of all leave shall not exceed 75 days. In case of emergency, the superintendent may advance additional leave with pay, not be exceed 25 days.

Under rules and regulations of the board, a teacher may use 3 days of cumulative sick leave with pay in any school year of any purpose, upon giving timely notice of intended absence.

(District of Columbia Code, (1961 edition). Sec. 31-691, and 31-692, and 31-694)

FLORIDA Ten days' sick leave a year with full pay is mandatory, cumulative to 120 days in the twelfth year. At least half the accumulation must be within the same county. No more than 80 days may be claimed in any one year. The board may require a physician's certificate. Sick leave may be taken for personal illness, or illness or death of member of immediate family.

County school boards may allow two days' leave a year for religious holidays, chargeable to sick leave. Leave for religious holidays shall not be cumulative.

Teachers absent on account of personal injury or contagious illness contracted in line of duty are entitled to paid leave of absence up to 10 days a year, not chargeable to sick leave.

(Florida Statutes Annotated. Secs. 231.40, 231.41)

GEORGIA Sick leave with full pay is provided at the rate of one and a fourth day for each completed school month of service, not cumulative beyond the year. Sick leave may be taken in the event of illness or death in teacher's immediate family.

(Code of Georgia Annotated. Sec. 32-1304)

HAWAII Eighteen days' sick leave at full pay is provided. Unused leave may be accumulated at full pay without limit. Additional sick leave with pay in excess of that to which the employee is entitled may be granted upon written approval of the state school superintendent. A physician's certificate is required for more than five days' absence.

A maximum of three days' leave with pay may be given on death or critical illness of member of immediate family, not chargeable against vacation or sick leave. A physician must certify to critical illness. One day of paid leave chargeable to sick leave may be allowed to attend the funeral of a relative.

Teachers may be granted a health leave of absence without pay for a period of one month to one year, and the time may be extended. A physician's certificate that such leave would be beneficial is required. Return to school is guaranteed only after at least one year of service.

(Regulations of Department of Public Instruction)

IDAHO Eight days' sick leave per year with full pay is mandatory. Unused leave may be accumulated in some districts to 32 days. School boards may establish sick leave in excess of the mandatory minimum provided.

(Laws of 1963, Ch. 13, Sec. 158, 158A, 158B, Idaho School Code)

ILLINOIS Ten days' sick leave at full pay is mandatory, cumulative to 60 days. Schoolboards have discretionary power to grant leave in excess of these allowances. The board may require a physician's certificate. Statutory definition of sick leave is personal illness, quarantine at home, or serious illness or death in immediate family or household.

(Smith-Hurd Illinois Statutes Annotated. The School Code of 1961. Sec. 122-24.6)

INDIANA Ten days' sick leave with pay for the first year and seven days each year thereafter is mandatory, cumulative to 90 days. For not to exceed a year, leave may be granted on request of a teacher, or on the initiative of the board, for sickness or disability, subject to board rules and regulations. If leave is unrequested, the teacher has the right to a hearing by procedures in the tenure law prerequisite to dismissal.

The teacher is entitled up to five days' leave with pay in event of death in immediate family.

(Burns Indiana Statutes Annotated. Secs. 28-4311, 28-4333).

IOWA A minimum of five days' sick leave with pay is mandatory, increasing one day for each year of consecutive employment in the same school district to a maximum of nine days. Unused leave is cumulative to at least 35 days. The board shall require reasonable evidence, as it may desire, confirming the necessity for leave. School boards have authority to grant more time than is allowed by the statute.

(Iowa Code Annotated. Sec. 279.40)

KENTUCKY Ten days' sick leave with pay is mandatory, but more may be granted in the discretion of the board. Unused leave is cumulative to 20 days; more may be accumulated in the discretion of the board. A physician's certificate is required.

At the request of the teacher, the board shall grant leave because of physical or mental disability for not to exceed two years and such leave may be renewed by the board on subsequent request. Sick leave for reason of illness or mental disability may be initiated by the board, but the teacher is entitled to a hearing. Upon recovery, the individual shall be entitled to the same contract status he held prior to such leave.

(Kentucky Revised Statutes. Sec. 161.155, 161.770)

LOUISIANA Ten days' leave with full pay as sick leave or in case of other emergencies is mandatory, but more may be granted in the discretion of the board. Unused leave may be accumulated to 25 days in any three-year period, and at the board's option, may be accumulated without limitation but cumulative sick leave shall be granted only when certified by a practicing physician. The additional sick leave may be granted without loss of salary, or with such reduction as the board may fix. School boards are prohibited from deducting more than the substitute's pay and cannot deduct any amount if a substitute is not employed.

The school board may pay any public school employee on retirement, or in case of death, to his heirs, all unused sick leave, not to exceed 25 days, at rate of pay employee received at time of retirement or death.

All teachers are eligible for sabbatical leave for certain purposes including rest or recuperation for 2 semesters after 12 or more consecutive semesters of service in same district, or for 1 semester after 6 or more consecutive semesters of service.

(West's Louisiana Revised Statutes Annotated. Secs. 17-1201, 17-1202, 17-425, 17-1171 to 1185)

MAINE Ten days' sick leave without loss of salary is mandatory, cumulative to 30 days.

(Revised Statutes of Maine 1954. Sec. 41-242B)

MARYLAND By state board of education regulation, ten days' sick leave at full salary is mandatory for every regularly employed teacher in the counties. Satisfactory proof of illness is required. County school boards may grant additional leave. Deduction for absence beyond the full pay days allowed shall be determined by dividing the yearly salary by 300.

A teacher shall be allowed four calendar days of absence from school without loss of salary for death of a member of the immediate family or anyone who regularly lives in the household.

(State Board of Education By-Law 56 (6))

The Baltimore City Board of Education sets the sick leave policy for its teachers.

MASSACHUSETTS Teachers excluded from school on account of active tuberculosis shall be given sick leave pay for two years which may be extended by action of the board.

(Annotated Laws of Massachusetts. Ch. 71, Sec. 55B)

MICHIGAN The only provision is in the tenure law which may be adopted by local electors. It provides that upon request of a teacher, the board may grant leave not to exceed one year, subject to renewal in the discretion of the board. Unrequested leave because of physical or mental disability for not to exceed one year must be preceded by a hearing in accordance with tenure provisions. No leave shall te nure status.

(Michigan Statutes Annotated. Sec. 15-2012)

MISSISSIPPI Local boards have discretion to give reasonable sick leave, and are empowered to include in their provisions for payment of substitute teachers because of absence of regular teachers owing to illness.

(Mississippi Code Annotated. Sec. 6328-28)

NEBRASKA The only provision referring to sick leave appears in the tenure law which applies to districts of the fourth and fifth class (Lincoln and Omaha). The school boards in these districts may, upon written request, grant leave to teachers with permanent status because of physical or mental disability or sickness, subject to rules they may adopt. Unrequested leaves for not more than one year for these reasons must be preceded by procedures as prescribed for cancellation of indefinite contracts.

(Revised Statutes of Nebraska 1943 (Reissue of 1958). Sec. 79-1262)

NEVADA Boards are authorized to pay for not more than 15 days' sick leave in any one school year for personal illness or accident, or serious illness, accident, or death in family, or for not more than 30 days for two school years, or for not more than 45 days in three school years; these limits may not be exceeded unless specifically authorized by unanimous vote of the board, upon request of the teacher. For some special, substantial, and convincing reason, and under such peculiar circumstances as to make such compensation fair and reasonable to all affected thereby and not detrimental to such school, and unless also approved by the deputy superintendent of the educational supervision district.

(Nevada Revised Statutes. Sec. 391.180)

NEW JERSEY All persons employed steadily or under tenure law shall be entitled to a minimum of 10 school days' sick leave a year with full pay, cumulative indefinitely. The board may require a physician's certificate. Sick leave means absence from duty because of personal disability due to illness or injury, because of exclusion by the school district's medical authorities on account of a contagious disease, or because of quarantine for such disease in the home. When annual and accumulated sick leave is exhausted, the board may pay salary, less the substitute's pay, for such length of time as the board decides in individual cases. Boards may pay salary and grant sick leave over and above the leave provided except that no person shall be allowed to increase his total accumulation more than 15 days in any one year.

If the absence is due to injury caused by accident arising out of the course of employment, the board must pay full salary up to one year without charging the absence to sick leave.

A school board may grant an employee full or part credit for unused sick leave accumulated in another school district in the same county. Once sick leave is granted, it is irrevocable. At termination of employment, if the employee so requests, the school board must give him a certificate showing the number of unused sick leave days to his credit. This certificate must be filed with the new employer within one year from the date of the new employment.

(New Jersey Statutes Annotated. Secs. 18:13-23.8 to 18:13-23.20)

NEW YORK School boards in union free school districts and in city school districts with cities of less than 125,000 population are required to promulgate rules and regulations for leave, which may be with or without pay. No similar specific statutory provision appears for city school districts having a population of 125,000 or over.

New York City board of education employees who are members of the New York City Teachers Retirement System shall be granted sick leave due to personal illness of at least 10 days a year. Cumulative to a maximum of 200 days. Employees of the Board of higher education who are members of the New York Teachers Retirement System and members of the permanent instructional staff of the board of higher education who belong to any other retirement system, shall be granted 20 days sick leave a year, cumulative to 160 days. Members employed by the board of education on application shall be granted retirement leave of absence with full pay consisting of one-half of accumulated sick leave up to a maximum of one school term or the equivalent number of school days. The same priviledge applies to members of the permanent instructional staff of any community college in New York City, except the maximum leave is one semester. Days when school is not in session shall not be counted, nor shall vacations.

Retirement leave shall be cancelled when a member applies for immediate retirement or reinstatement to active service. If a member applies for a sick leave during retirement leave of absence, he is entitled to his total accumulated unused sick leave minus the number of school days already taken as retirement leave, but such retirement leave may not exceed one school term, exclusive of sick leave.

(McKinney's Consolidated Laws of New York, Education Law. Secs. 1709 (16), 2509 (7) and 3107)

NORTH CAROLINA The state board of education is authorized in its discretion to provide for not to exceed five days' sick leave per school term with pay for teachers and principals.

(General Statutes of North Carolina (1960 Replacement Volume) Sec. 115-11 (13))

NORTH DAKOTA Employment contracts of teachers must provide for at least five days' sick leave with pay a year, cumulative to a minimum of 20 days.

(North Dakota Century Code Annotated. Sec. 1547-35)

OHIO Sick leave provisions for Ohio teachers appear in several sections of Page's Ohio Revised Code Annotated.

(1) Secs. 3319.08, 3319.09, 3313.21 (codified under Schools)

Five days' leave a year without loss of salary for illness or otherwise is mandatory.

On written request of the teacher, a school board shall grant a leave of absence of not to exceed two consecutive school years for illness or other disability and such leave may be rer . . by the board on subsequent request. A similar leave and renewal may be granted for physical or mental disability without the teachers request, but in that event, the teacher is entitled to a hearing. Upon return to service after expiration of the leave, the teacher is entitled to resume the contract status held prior to going on leave.

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(2) Section 143.29 (codified under Civil Service, defined in the law to include employment in the service of the state, and the counties, cities, city health, districts, and city school districts. The attorney general (OAG 1954, No. 3643) has ruled that the words Public agency used in this section includes all boards of education.)

This section entitled full-time employees of any board of education, and full-time employees in the service of the state, county, and municipal service to sick leave at the rate of one and one-fourth work days with pay for each completed month of service. This leave is cumulative to 90 work days unless more than 90 days are approved by a responsible administrative officer of the employing unit. On separation from service and later re-employment, the employee's unused accumulated sick leave is restored. The employee is credited with the unused balance of sick leave upon transfer from one public agency to another. Part-time employees are granted sick leave for the time actually worked at the same rate granted to full-time employees.

Sick leave may be used for absence due to illness, injury, exposure to contagious disease which is communicable to other employees, or to illness or death in the employee's immediate family. The employee may be required to furnish a satisfactory affidavit that his absence was due to any of these causes.

Note: Opinion of the attorney general (OAG 1950, No. 1605) states that sick leave rights should be determined in accordance withsection 143129 rather than section 3313.21 (providing for not less than 5 days of mandatory leave to full-time employees of boards of education). He also states that there is no conflict between section 143.29 and sections 3319.08 and 3319.09 (providing for not less than five days of mandatory leave to teachers) since these latter two sections establish the minimum for "time lost due to illness or otherwise." All three sections should be read together and each should be given full effect according to its terms.

Another opinion (OAG 1961, No. 2073) reads that a board of education of a city school district has discretion to approve more than 90 days' accumulated sick leave for all its employees.

OKLAHOMA Boards shall provide sick leave with full pay, the length and conditions thereof to be subject to board regulations.

(Oklahoma Statutes Annotated. Sec. 70-6-3)

OREGON All certified personnel shall be entitled to at least 10 days' sick leave at full pay. At the option of the board, leave in excess of five consecutive school days may be allowed only upon certificabe of a physician. Unused leave shall be accumulated to 100 days; more may be accumulated in the discretion of the board. A district is required to permit a teacher to take at least 10 days of sick leave accumulated in the prior year in another district.

(Oregon Revised Statutes. Sec. 342-595)

PENNSYLVANIA Ten days' sick leave with full pay is mandatory, but more may be granted in the discretion of the board. Unused leave is cumulative to 30 days; boards have discretion to exceed this limit.

Up to 3 days' leave with pay is required to be given for death in immediate family, but more may be granted by the school board if the situation warrants. For death of a near relative, one day of leave with pay is provided for the day of the funeral.

Leave of absence for restoration of health is available under the sabbatical leave provisions.

(Purdon's Pennsylvania Statutes Annotated. Secs. 24-11-1154; 24-11-1166 to 1171)

TENNESSEE The state board of education shall provide rules and regulations for sick leave. Regulations must allow for one day for each month taught, to a maximum of 40 days. Initial allotment is five days' sick leave. If more is used, it is to be charged against future accumulations. The local board may require a physician's certificate. State funds pay partial salary for substitutes, but participation in the program is optional with districts. To participate, the district must conform to the sick leave provisions.

Any teacher in "permanent" or "limited" tenure, may, on request, be granted a leave of absence without loss of tenure status for recuperation of health.

(Tennessee Code Annotated. Secs. 49.1313, 49.1406; Public Acts of Tennessee 1963, Ch. 39, Sec. 16)

VERMONT Ten days' sick leave with full pay is mandatory, cumulative to 20 days, so long as the teacher is employed in the same school district.

(Vermont Statutes Annotated. Sec. 16-1755)

VIRGINIA State funds are appropriated for a state sick leave plan for teachers. These funds are expended under regulations of the state board of education. Participation in the state sick leave plan is optional with local school boards. To be eligible for these funds, local school boards must comply with the state board regulations which provide that each full time teacher shall be allowed a maximum of 10 days' leave each year in which he teaches in the state plan. If a teacher is employed less than a full year of full-time employment, the leave shall be at the rate of one day a month or a fraction thereof. Unused sick leave is cumulative to a maximum of 45 days. Accumulative sick leave is transferable from one school system to another if agreeable to the school board of the system to which the teacher transfers.

Paid leave is allowed for personal illness, including quarantine, or illness or death in the immediate family requiring the attendance of the employee for not more than three days in any one case.

Local school boards may adopt supplementary rules and regulations not in conflict with the state board regulations, and in their discretion, may require a doctor's certificate for absence due to illness.

(Regulations of the State Board of Education Governing the State Sick Leave Plan for Teachers. August 16-18, 1962)

WASHINGTON Ten days' sick leave per year with full pay is mandatory, cumulative to 180 days. A grant of sick leave in excess of five consecutive days must be verified by a physician's certificate. School boards may grant leaves of absence with pay for illness and injury in excess of these limits; paid leave is allowable for bereavement.

Accumulated leave is not transferable from one school district to another, but may be restored to a person who returns to the employ of the district where the leave was accumulated.

(Revised Code of Washington. Secs. 28.58.100 (15))

WEST VIRGINIA County boards must maintain an item in their budgets to provide a minimum of five days' sick leave a year for teachers, cumulative to 20 days. Sick leave benefits are payable at the end of the school year from these funds. If budgeted funds are insufficient, the perdiem salaries for all teachers claiming sick leave shall be reduced proportionately. Boards are authorized to prescribe other necessary rules and regulations.

Sick leave benefits apply to time lost for personal illness or accident, death in the immediate family, or any other emergency cause that the board may authorize or approve.

(West Virginia Code of 1961 Annotated. Sec. 1806 (1))

WISCONSIN State aid shall not be paid to any district, except first-class districts, for any year in which teachers' contracts do not provide for at least five days' sick leave with pay, cumulative to at least 30 days.

No state aid for vocational or adult education shall be granted for any year in which the teachers' and administrators' contracts do not provide for at least five days' sick leave, cumulative to 30 days, but no allowance is granted for evening school teachers employed at least 30 hours a week in day schools, or to persons employed less than 30 hours a week, unless employed for at least 10 hours a week, making up the other 20 hours in other school employment. When teachers are employed in such dual capacity, sick leave shall be paid proportionately by each employer according to hours employed.

(West's Wisconsin Statutes Annotated. Secs. 40.71 (7); 41.21 (3))

Part II - State Maternity Leave Provisions

CALIFORNIA School boards may provide leave of absence to certified employees during pregnancy or for convalescence following childbirth with or without pay; pay provided may be in full or in part.

Board may adopt rules and regulations prescribing manner of proof of pregnancy, when leave of absence for pregnancy shall be taken, and for how long the leave shall continue following childbirth.

This section is not to be construed to deprive the employee of statutory sick leave rights for absence due to illness or injury following pregnancy.

(California Education Code. Sec. 13456)

DELAWARE School boards are required to grant leave of absence for maternity reasons to fully certified professional employees, under terms of state board rules. These rules shall provide: (a) request for leave must be presented not later than the end of the third month of pregnancy; (b) effective date for beginning of leave shall not be later than end of fifth month of pregnancy; (c) duration of leave shall be until first birthday of child or opening of next regular school term after first birthday, but at the mother's request, with approval of the local board, the state board may allow the mother to return to work at an earlier date; (d) at end of the maternity leave, the employee is entitled to be assigned to the same or similar position she held before the leave started, and no assignment shall be made so as to invalidate the employee's certification status, or to result in demotion in position or salary; (e) absence for maternity leave shall not be counted in determining experience, salary, or pension eligibility and computation time.

(Delaware Code Annotated. Sec. 14-1323)

DISTRICT OF COLUMBIA Probationary and permanent teachers and attendance officers are entitled to use all leave to their credit when they are granted maternity leave by the board of education.

(District of Columbia Code. (1961 edition). Sec. 31-693

KENTUCKY Upon written request of a teacher, the school board shall grant a leave of absence of not more than two consecutive years for maternity; such leave may be renewed by the board upon request of the teacher.

(Kentucky Revised Statutes. Sec. 161.770)

LOUISIANA All school boards must grant leaves of absence to regularly employed teachers for a reasonable time before and after childbirth. Such leave shall not affect the tenure rights of the teacher.

(West's Louisiana Statutes Annotated. Sec. 17:1211)

has fixed the rate of pay for a day-to-day substitute, the amount to be deducted from the teacher's salary may not exceed this fixed rate, whether or not a sum different from the fixed rate was paid to the substitute replacing the teacher on leave. School boards may pay more salary to teachers on sabbatical leave than the statute prescribes.

(West's Louisiana Revised Statutes Annotated. Secs. 17-1171 to 1185)

MAINE — A school board has discretionary authority, under conditions and regulations as it may adopt, to grant a regularly employed teacher a leave of absence for not more than one year, and for not more than one-half salary, for the purpose of study or travel for professional improvement. Such leave may be granted only after seven years of service.

(Revised Statutes of Maine 1954. Sec. 41-54 (IX))

MASSACHUSETTS — A school committee may grant a leave of absence to a teacher, principal, or supervisor for study or research for the purpose of increasing professional ability. The period of leave may not exceed one year. Leave may be at full or partial salary. The person granted leave must agree in writing to return to the service of the school system at the end of the leave for a period equal to twice the length of leave granted. If he defaults in completing such service, he must refund an amount equal to such proportion of salary he received while on leave as the amount of service not actually rendered as agreed bears to the whole amount of service agreed to be rendered.

(Annotated Laws of Massachusetts. Ch. 71, Sec. 41A)

MICHIGAN — Any school board may grant a teacher who has been employed by it for at least seven consecutive years, and at the end of each additional seven consecutive years, a sabbatical leave with pay as provided by the board rules for professional improvement. The period of leave may not exceed two semesters at any one time. To be eligible, the teacher must hold a permanent or life certificate, or be engaged in teaching at a college maintained by the board.

Time spent on sabbatical leave shall be allowed as credit toward retirement in accordance with the rules and regulations of the retirement board.

When the leave is over, the teacher shall be restored to the position held when the leave started, or to a position of like nature, seniority, status, and pay. The teacher shall be entitled to participate in any other benefits that may be provided for by the school board rules and regulations.

(Michigan Statutes Annotated. Sec. 15.3572)

MINNESOTA — A school board may grant a sabbatical leave with pay to a certified teacher for purposes of professional improvement. A teacher accepting sabbatical leave must agree that at its expiration, he shall return to his position for the period determined by the board before the leave was granted; else he must repay the district the salary received while on sabbatical leave. During the leave, a teacher retains all rights in the employing district as though teaching there.

(Minnesota Statutes Annotated, Education Code. Sec. 125.18)

TENNESSEE The state tenure law provides that any teacher on "permanent" or "limited" tenure may, on request, be granted a leave of absence for maternity without loss of tenure status. The law also states that any teacher who becomes pregnant may be required to take a leave of absence for such period of time as the board may direct. Absence due to pregnancy cannot be counted as part of the probationary period.

(Tennessee Code Annotated. Sec. 49-1406

(West's Louisiana Revised Statutes Annotated. Secs. 17:111-1121 to 1144)

MAINE A school board has discretionary authority, under certain conditions and regulations as it may adopt, to grant a temporarily employed teacher a leave of absence for not more than one year, and for not more than one-half salary, for the purpose of study or travel for professional improvement. Such leave may be granted only after seven years of service.

(Revised Statutes of Maine 1954, Sec. 44-45 (XI))

MASSACHUSETTS A school committee may grant a leave of absence to a teacher. Such leave may be granted for study or research for the purpose of professional improvement. A teacher receiving an approved leave must agree first to return to the position for the period determined by the committee, or refund to the City Position for the period of time he shall remain employed after receiving such leave. Failure to return after leave may be treated as an automatic resignation.

(Massachusetts General Laws Annotated, Educational Code, Sec. 15A.18)

MICHIGAN Any school board may grant a teacher who has been employed by it for at least seven consecutive years, and who has been employed by each additional seven consecutive years, a sabbatical leave with pay as provided by the board rules for professional improvement. The period of leave may not exceed two semesters or one time. To be eligible, the teacher must hold a permanent or life certificate, or be engaged in teaching at a college maintained by the board.

Time spent on sabbatical leave shall be allowed as credit toward retirement in accordance with the rules and regulations of the retirement board.

When the leave is over, the teacher shall be restored to the position held when the leave started, or to a position of like nature, seniority, status, and pay. The teacher shall be entitled to participate in any other benefits that may be provided by the school board rules and regulations.

(Michigan Statutes Annotated. Sec. 15.3215)

MINNESOTA A school board may grant a leave with pay to a certificated teacher for purposes of professional improvement. A teacher receiving approved leave must agree first to return to his position for the period determined by the board; else he must repay the district the salary received while on approved leave. During the leave, a teacher retains all rights in the employing district as though rendering service.

(Minnesota Statutes Annotated, Education Code, Sec. 125.18)

PART III - State Sabbatical Leave Provisions

ALASKA A teacher (defined as any certified member of the teaching, supervisory or administrative corps in the public schools) who has rendered active service for seven or more consecutive years in the public school system in the state is entitled to sabbatical leave. This leave may be taken for educational purposes only, and for not more than one school year. While on leave, the teacher is entitled to one-half of his base salary.

Any teacher wishing to take sabbatical leave shall apply therefore to the school superintendent if he is employed in an organized district, otherwise to the commissioner of education, and shall submit information showing that he is qualified for the leave and his plan for education while on it. The responsibility for selecting teachers in organized districts rests with the local school board and the school superintendent; in unorganized districts, the commissioner of education and the state board of education decide jointly. Decision for selection shall be based on such factors as the benefit the school will derive from the teacher's education plan, his field of study, his contributions to education in Alaska, and his seniority.

After the leave, the teacher must report on his educational accomplishments to the authority that approved the leave. If he does not serve at least one full year after his return, he must refund the salary paid him during the time he was on sabbatical leave, unless failure to so serve is due to sickness, injury, or death. Unless it is otherwise agreed, the teacher shall return to the position he occupied before he left. Sabbatical leave is not considered a break in service, and is regarded as being in full service. Payments to the retirement fund are required to be paid on the basis of full salary.

No more than 2 per cent of all teachers in non-school districts may be on sabbatical leave in any one year. Organized school districts accrue percentage points for entitlement at the rate of .02 points a year for each teacher in the district. When the entitlement points exceed any integer, the district can grant leave to that number of teachers. Unused fractional points may be carried over from year to year and applied to the next sabbatical leave authorization.

(Alaska Statutes. Title 14, secs. 14.20.280 — 14.20.350)

CALIFORNIA School boards may grant to any certified employee a leave of absence not to exceed one year for the purpose of study or travel. The leave may be granted in two separate six-months periods to be started and completed within three years. To be eligible for such leave, the employee must have served seven consecutive years in the school district; no more than one such leave may be granted in any seven-year period. The school board may, subject to state rules and regulations, prescribe the standard of service which entitles the employee to the leave of absence. Service under a nationally recognized fellowship or foundation approved by the state board, for a period of not more than one year, for research, teaching, or lecturing, is not deemed a break in continuity of service in computing the seven consecutive years. An employee granted a sabbatical leave may be required to perform such services as the school board, with the approval of the school superintendent, and the employee may agree in writing.

Amount of compensation to be paid to the employee during the leave may be agreed upon in writing, but the compensation shall be not less than the difference between the employee's salary and the amount paid the substitute. However, in lieu of the

difference, the board may pay one-half or more of the employee's salary up to the full salary.

(California Education Code. Secs. 13457 to 13459)

DELAWARE — School boards may grant sabbatical leave for not less than one-half of a school term or longer than one full term to a properly certified professional employee for purpose of professional improvement or for recovery of health after a long illness. To be eligible for leave, the employee must have been employed by the school board for at least five consecutive years, unless the board in its discretion shortens this period.

Requests for leave must be made to the school board in writing before April 1 for leave start the opening of the next school term, and by November 1 for leave to begin at the second semester of the school term. The employee must agree in writing to return to the service of the leave-granting board for at least one year after the sabbatical leave is over.

During the sabbatical leave, the employee may not engage in full-time gainful employment except on written agreement with the school board. However, the employee is not precluded from receiving grants such as scholarships, gifts, fellow-ships, part-time employment, or other grants of aid, as are provided by colleges, universities, corporations, trusts, or other individuals to students or persons engaged in study or travel for purposes of professional improvement. The law does not provide for the payment of any salary to the employee on sabbatical leave.

At the end of the leave, the employee must present evidence of professional improvement in terms agreed upon previously. This may consist of college transcripts, degree earned, or written reports by the employee. Upon his return, the board must accept the employee into full-time employment, and assign him to the position he left or to a similar position. No assignment may be made so as to invalidate the employee's certification status or result in a demotion in position or salary.

A year of sabbatical leave shall be considered a year of experience for purposes of salary increments and pension eligibility and computation, except no more than two years shall be applied toward these purposes to any person. These credits are forfeited if the employee does not return to the service of the leave-granting board.

School boards may limit the number of employees who may be granted leave each year. Any school district having fewer than 20 professional employees, may grant leave to one eligible applicant each year.

(Delaware Code Annotated. Sec. 14-1325)

DISTRICT OF COLUMBIA — The board of education, on recommendation of the school superintendent, may grant sabbatical leave with part pay to teachers for up to one year for the purpose of professional improvement. Teachers must have served at least six continuous years in the District schools before applying for such leave. No more than 2 per cent of the total number of employees to whom this provision applies may be on leave at the same time. The teacher must report to the superintendent on how the leave is to be used. While on sabbatical leave, the teacher is regarded as being in active service for purposes of salary increments and retirement.

(District of Columbia Code.) 1961 Edition), Secs. 31-632-637)

FLORIDA — County school boards have authority to grant extended leave for a period not to exceed one year for the purpose of professional improvement to any member of the instructional staff who has satisfactorily served in the county schools for three or more years. Partial compensation may be authorized only to persons who served seven or more years in the county.

(Florida Statutes Annotated. Secs. 231.39)

HAWAII — The Department of Public Instruction is authorized to grant sabbatical leaves of one year or six months to teachers who have served seven years in the public schools of the state. Those with the longest period of service shall be given first consideration provided the applicants who plan to devote a greater portion of their total leave toward professional educational course work or research shall be given preference over those planning a lesser period of study. Return to position on expiration of the leave is to be guaranteed.

Teachers on sabbatical leave shall be paid one-half of their regular salary.

While on sabbatical leave, the teacher must devote one-half of his total leave to professional educational work, or to research approved by the department of education. Before the leave is granted, the teacher must agree to return to service for at least two years within one year after the sabbatical leave is ended and must agree to refund all money received while on the leave if he does not return. If the teacher fails to comply with these provisions, his teaching certificate shall be cancelled.

(Revised Laws of Hawaii 1955. Secs. 38-20 to 38-22, as amended by 1961 Laws of Hawaii, Ch. 170)

ILLINOIS — Every school board may grant a sabbatical leave to a teacher, principal, or superintendent with tenure status, for at least four months but not to exceed one school term for resident study, research, travel, or other purpose designed to improve the school system. The plan for the activity during the sabbatical leave must be approved by the school board and cannot be modified without further approval.

To be eligible for the leave, the teacher must have satisfactorily served full time for at least six years. Leave may again be granted after satisfactory completion of a subsequent six year period. The applicant for the leave must agree that if he does not return to service in his school district for at least a school year at the end of the sabbatical, he will refund all money received from the school board during the leave. While on sabbatical leave, the teacher shall receive his basic salary, less the amount payable for substitute service, but his pay shall not be less than the state mandated minimum salary or one-half of his basic salary, whichever is less. The teacher cannot engage in any activity for which salary or compensation is paid while he is on sabbatical leave, unless the activity is directly related to the purpose for which the leave is granted, and is approved by the board. A sabbatical leave may be granted to allow the applicant to accept scholarships for research or study.

Except when justified by illness or incapacity, failure of the teacher to devote the entire sabbatical leave period for the purposes for which it was granted is a cause for removal from teaching service.

At the end of the leave and upon presenting evidence to the school board of compliance with the leave conditions, the teacher is entitled to be restored to a position equivalent to the one he formerly held. Tenure status is not affected by the sabbatical leave. Absence during such leave is not construed as a discontinuance of service for any purpose, including progression on the salary schedule. The board must pay the teacher's share of the retirement contribution computed on his salary for the year preceding the leave.

(Smith-Hurd Illinois Statutes Annotated. School Code of 1961, Ch. 122, Secs. 10-21.1 and 24.6.1.)

INDIANA — Upon written request of a permanent teacher, a school board may grant a leave of absence not to exceed one year, for study or professional improvement, subject to the board rules and regulations.

(Burns Indiana Statutes Annotated. Sec. 28-4311)

KENTUCKY — Upon written request of a teacher, the school board may grant a leave of absence of not more than two consecutive years for educational or professional purposes.

(Kentucky Revised Statutes. Sec. 161.770)

LOUISIANA — All teachers are eligible for sabbatical leave for professional or cultural improvement, or for rest or recuperation. The period of leave is two semesters after completion of 12 or more consecutive semesters of active service in the school district, or one semester, after six or more consecutive semesters of service. Sick leave under other statutory provisions is not considered a break in active service.

Applications for sabbatical leave must be sent to the school superintendent by registered mail within certain specified times. The applications must specify the purpose of the leave, the amount of time requested, and how the leave will be spent. Whether the purpose of the leave is for rest or recuperation, and certified statements of two physicians that such leave is prescribed on account of health must be furnished.

If all applications for sabbatical leave cannot be granted, preference is to be given to the teacher with the longest continuous service in the school system. At no time during the school year, may the number of persons on sabbatical leave exceed 5 per cent of the total number of teachers employed in the parish; in cases of sick leave, this limit may be extended.

Teachers granted sabbatical leave for professional or cultural improvement must earn a certain number of credit hours from accredited institutions of higher learning, or pursue an equivalent amount of time in independent study or research, or engage in planned travel. Written reports must be submitted on how the leave was spent. While on leave, teachers are entitled to regular increments, and service during sabbatical leave counts as active service for retirement purposes. When the leave is ended, the teacher is entitled to return to the position held prior to the leave, unless he agreed otherwise. While on leave, the teacher is entitled to all the rights pertaining to his position as if he were in active service.

A teacher on sabbatical leave is entitled to salary at 50 per cent of the minimum salary allowed a beginning teacher with a BA Degree; but the teacher may elect to receive the difference between what his salary would be during the year, and the amount a day-to-day substitute for his position would receive. If the school board

MISSISSIPPI School districts are authorized to pay from district funds, other than from minimum education program funds, all or part of the salaries of teachers granted leaves for the purpose of special study or training.

(Mississippi Code Annotated. Sec. 6328-28)

NEBRASKA Any school board in a fourth or fifth class school district (Lincoln and Omaha), upon written request, may grant a leave of absence to a permanent teacher for certain specified reasons, including study and professional improvement, subject to such rules and regulations governing leaves of absence as may be adopted by the board.

(Revised Statutes of Nebraska 1943, Reissue of 1958. Sec. 79-1262)

OHIO After completing five years of service, a public-school teacher may, with permission of the school board and the superintendent, be entitled to a leave of absence with part pay for one or two semesters. The teacher must present to the superintendent for approval a plan for professional growth before admission for leave may be granted, and must provide evidence that the plan was followed when the leave is over. The teacher may be required to return to the district for a period of at least one year, unless the teacher has taught in the state for 25 years.

No leave may be granted unless a satisfactory substitute is available. No more than 5 percent of the professional staff of a school board may be granted leave at any one time, nor may the board allow part salary in excess of the difference between the substitute's pay and the teacher's expected pay.

Leave may not be granted for more than one year, or more often than once for each five years of service; nor may a second leave be granted to the same individual when other staff members have filed requests for leave.

(Page's Ohio Revised Code Annotated. Sec. 3319.131)

PENNSYLVANIA Professional employees or members of supervisory, instructional or administrative staffs of the public school systems and county boards of education (and commissioned officers of county boards of education), who have 10 years of satisfactory service, are entitled to a leave of absence for restoration of health, study, or travel, or, at the board's discretion, for other purposes. At least five consecutive years of service must be in the school district from which the leave is sought, unless the board shortens the period. Thereafter, one leave of absence shall be allowed after each seven years of service.

Duration of leave is for one-half or a full school term, or for two one-half school terms during a two-year period, at the option of the person. If leave is requested for illness, however, the leave shall be granted for a period equivalent to a half or full school term, or the equivalent of two half school terms during a two-year period, and if the employee is unable to return to school when the leave expires, on account of illness or physical disability, a further leave for one-half school term or its equivalent shall be granted upon the employee's written request. Where sabbatical leave for a full school term or its equivalent has been granted, and the employee is unable to return to school service because of illness or disability, the school board may extend the leave for such periods as it may determine, but not to exceed one full school term or its equivalent.

Preference for applications for sabbatical leave is to be based on years of service. School districts may not limit sabbatical leave to less than 10 percent of the number of regularly employed persons in the district eligible for these leaves. Schools with seven or fewer teachers shall be permitted at least one leave of absence each term.

Before leave may be granted, the person must agree to return to the school district for not less than one school term immediately after the leave is over. The person is entitled to be returned to the same position in the same school. The board may waive the requirement that the person return to the district, or to the same position in the same school. If the board does not waive this obligation and if the employee does not return to the school as required, he waives all the benefits of the statute to which he would have been entitled for the duration of the sabbatical leave.

A person on sabbatical leave shall receive one-half of his regular salary. While on leave, the person is considered to be in full time daily attendance for purposes of determining length of service and salary increments. Membership and employer and employee contributions in the retirement system continue. But if the employee resigns or fails to return to his employment without waiver by the board, the amount the school board contributed to the retirement fund shall be deducted from the refund payable to the employee.

While on sabbatical leave, a person is not prevented from receiving a grant for further study from any institution of learning.

(Purdon's Pennsylvania Statutes Annotated. Secs. 24-11-1166 to 1171; 24-9-930)

TENNESSEE — A provision in the state teacher tenure law states that any teacher on "permanent" or "limited" tenure, may on request, be granted a leave of absence without loss of tenure status, for certain reasons, including educational improvement and recuperation of health.

(Tennessee Code Annotated. Sec. 49-1406)

WASHINGTON — School boards may provide for sabbatical leave with pay to persons employed in positions requiring certification qualifications.

(Revised Code of Washington. Sec. 28:58.100 (15))

GENERAL PROVISIONS FOR SICK LEAVE POLICIES

The following general principles from the April 1, 1952 NEA Research Bulletin, Vol. XXX, No. 2 may be useful in forming policies relating to brief absences of teachers:

1. Constructive measures should be taken to keep at a minimum the amount of absence due to ill health (a) by testing physical fitness when teachers are selected and periodically thereafter, and (b) by maintaining healthful working conditions in the schools.

2. The conditions under which leave of absence with pay may be granted should be clearly and definitely stated.

3. The remuneration of absent teachers and the number of days during which such remuneration may be received should be determined by a consideration of (a) lengths of absences among teachers for various reasons in the local school system, (b) the financial ability of the system and (c) current practice in other communities.

4. Some financial protection should be provided against long attacks of illness when the teacher's economic security is most endangered by loss of income.

5. The plan for allowing leaves of absence should be safeguarded against abuse.

6. The education of pupils during the absence of regular teachers should be safeguarded by providing trained, capable and well-paid substitute teachers.